We believe that the United Nations shares our grief. May Almighty God bestow his mercy on the soul of Abdul Rahman Pashwâk.

Agenda 112 *(continued)*

Scale of assessments for the apportionment of the expenses of the United Nations (A/49/838/Add.3)

The President: In a letter contained in document A/49/838/Add.3, the Secretary-General informs the President of the General Assembly that, since the issuance of his communications dated 26 January, 28 February and 24 May 1995 (A/49/838 and Add.1 and Add.2), Burkina Faso and Djibouti have made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 15 *(continued)*

Elections to fill vacancies in principal organs

(c) Election of a member of the International Court of Justice

Memorandum by the Secretary-General (A/49/909)

List of candidates nominated by national groups: notes by the Secretary-General (A/49/910 and A/49/921 and Add.1)

Curricula vitae of candidates nominated by national groups: note by the Secretary-General (A/49/911)

The President: In accordance with resolution 979 (1995), adopted by the Security Council on 9 March 1995, the General Assembly will proceed this morning to the election of a member of the International Court of Justice for the unexpired term of office of the deceased Judge Roberto Ago of Italy.

In connection with this election, I should like to bring the following matters to the attention of the members of the General Assembly.

Firstly, in accordance with General Assembly resolution 264 (III) of 8 October 1948, a State which is a party to the Statute of the International Court of Justice but not a Member of the United Nations shall participate in the General Assembly in electing the members of the Court in the same manner as the States Members of the United Nations. On this occasion I am happy to welcome here the representatives of Nauru and Switzerland.

Secondly, I should like to confirm that at this time the Security Council, independently of the General Assembly, is also proceeding to elect one member of the Court. This procedure is in accordance with Article 8 of the Statute of the Court, which provides that

> "The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court."

Accordingly, the results of the voting in the General Assembly will not be communicated to the Security Council until one candidate has obtained the required majority in the Assembly.

Thirdly, I should like to draw the attention of the General Assembly to the documents relating to the election. The Assembly has before it document A/49/909, which contains a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council with regard to the election; document A/49/910, which contains the names of the candidates who have been nominated by national groups within the required time for submission, that is, by 31 May 1995, and documents A/49/921 and A/49/921/Add.1, providing information concerning nominations received from national groups after 31 May 1995; and document A/49/911, which contains the curricula vitae of candidates nominated by national groups.

In accordance with Article 10, paragraph 1, of the Statute of the Court, the candidate who obtains an absolute majority of votes both in the General Assembly and in the Security Council shall be considered as elected.

The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors, for this purpose, are all the Member States — 185 — and two

non-Member States, Nauru and Switzerland. Accordingly, 94 votes constitute an absolute majority for the purpose of electing a judge of the International Court of Justice.

The General Assembly will now proceed to a secret ballot. If in the first ballot no candidate obtains an absolute majority, it will be necessary to proceed to further ballots until a candidate has obtained that majority. Pursuant to the decision taken by the General Assembly at its 915th meeting, held on 16 November 1960, these ballots shall be unrestricted.

I should like to remind representatives that, pursuant to rule 88 of the Assembly's rules of procedure,

> "After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting".

Therefore, any announcements, such as those concerning withdrawals of candidatures, should be made prior to the commencement of the voting process, that is, before the distribution of ballot papers.

May I take it that the Assembly agrees to the procedures I have just outlined?

It was so decided.

The President: Ballot papers will now be distributed. The voting process has now begun.

Representatives are requested to use only the ballot papers now being distributed and to place a cross to the left of the name of the candidate for whom they wish to vote. Ballot papers on which more than one name is marked will be considered invalid. Votes may be cast only for one of the candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Houansou (Benin), Ms. Chaves (Costa Rica), Mr. Michal (Czech Republic), Ms. Wong (New Zealand) and Mr. Noh (Republic of Korea) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.10 a.m. and resumed at 11.45 a.m.

The President: The result of the voting is as follows:

Number of ballot papers:	163
Number of invalid ballots:	1
Number of valid ballots:	162
Abstentions:	0
Number of members voting:	162
Required majority:	94
Number of votes obtained:	
Mr. Luigi Ferrari Bravo (Italy)	72
Mr. Pieter Hendrik Kooijmans (Netherlands)	36
Mr. Mehmet Güney (Turkey)	30
Mr. Santiago Torres Bernárdez (Spain)	24

The President: Since none of the candidates has obtained an absolute majority, the Assembly will now have to proceed to another unrestricted ballot to fill the vacancy.

Ballot papers will now be distributed. Only individuals whose names appear on the ballot papers are eligible. I would again remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast for only one of the candidates whose names appear on the ballot papers.

At the invitation of the President, Mr. Houansou (Benin), Ms. Chaves (Costa Rica), Mr. Michal (Czech Republic), Ms. Wong (New Zealand) and Mr. Noh (Republic of Korea) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.55 a.m. and resumed at 12.45 p.m.

The President: The result of the voting is as follows:

Number of ballot papers:	164
Number of invalid ballots:	0
Number of valid ballots:	164
Abstentions:	0
Number of members voting:	164
Required majority:	94
Number of votes obtained:	
Mr. Luigi Ferrari Bravo (Italy)	102
Mr. Pieter Hendrik Kooijmans (Netherlands)	28
Mr. Mehmet Güney (Turkey)	19
Mr. Santiago Torres Bernárdez (Spain)	15

The President: Mr. Luigi Ferrari Bravo of Italy has obtained an absolute majority in the General Assembly.

I have communicated the result of the voting to the President of the Security Council.

I have received from the President of the Security Council the following letter:

> "I have the honour to inform you that, at the 3546th meeting of the Security Council, held on 21 June 1995 for the purpose of electing a member of the International Court of Justice for a term of office to expire on 5 February 1997, Mr. Luigi Ferrari Bravo obtained an absolute majority of votes."

As a result of the independent voting in the Security Council and in the General Assembly, Mr. Luigi Ferrari Bravo of Italy, having obtained an absolute majority in both organs, is duly elected a member of the International Court of Justice for a term of office expiring on 5 February 1997. I take this opportunity to extend to him the Assembly's congratulations on his election and to thank the tellers for their assistance.

We have thus concluded this stage of our consideration of sub-item (c) of agenda item 15.

I should like to remind delegations that the General Assembly will meet on 12 July 1995 to fill the vacancy resulting from the resignation of Judge Sir Robert Yewdall Jennings of the United Kingdom of Great Britain and Northern Ireland.

The meeting rose at 12.50 p.m.